

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION**

DORIAN ABAD ABROSI,

Petitioner,

v.

WARDEN OF FOLKSTON ICE
PROCESSING CENTER, *et al.*

Respondents.

Case No. 5:25-cv-13

PETITIONER'S RESPONSE TO RESPONDENTS' STATUS UPDATE

Petitioner hereby responds to the government's July 8 status update and provides an update on the current status of Petitioner's health, pursuant to this Court's instructions.¹

On June 25, 2025, this Court ordered the government to provide supplemental briefing "regarding DHS's efforts to identify any third country or countries that will accept Ambrosi based on the order of removal and the expected timeline for Ambrosi's removal to a third country." Dkt. No. 20. Two weeks later, the government submitted a two-page document confirming that DHS has no plan for Petitioner's removal to an alternative country and no timeline in which it expects to accomplish such removal. *See* Dkt. No. 22 at 2 (noting that "neither DHS nor ICE have identified a country to which Petitioner is expected to be removed" and "DHS does not have an expected timeline for Petitioner's removal to a third country").

¹ Mindful of the many briefs and notices filed in this case since its inception in February, Petitioner did not intend to file any response upon initially receiving the government's brief status update on July 8. However, due to new developments in the two weeks since the government's filing and the Court's previous instruction to keep it abreast of Petitioner's health, Petitioner files the instant response.

Because Petitioner has been detained for far more than six months with a final removal order and has put forward evidence indicating his removal is not reasonably foreseeable, including his final grant of protection to his country of origin and undisputed historical data indicating the extraordinarily low rate of third country removal, *see* Dkt. No. 1-2; 1-7, the burden is on the government to show that he will be removed despite these obstacles. *See Zadvydas v. Davis*, 533 U.S. 678, 701 (2001). The government's response falls far short of that burden, and it is apparent that there is no lawful purpose for his ongoing detention. *See Munoz-Saucedo v. Pittman*, No. 25-2258, 2025 WL 1750346, at *7 (D.N.J. June 24, 2025) (ordering non-citizen's release under *Zadvydas* where non-citizen had final protection from removal to country of origin and ICE put forward no other country likely to accept him).

Meanwhile, Petitioner's health continues to deteriorate. When Petitioner was abruptly transferred in early June from Folkston ICE Processing Center in Georgia to Adelanto Detention Center in California, he lost access to most of the medications and treatments on which he previously relied for managing his myriad health issues. Without receiving his complete diabetes medication for approximately a month, his blood glucose reading reached as high as 295 mg/dl, even higher than the previous reading a medical doctor described as causing "significant morbidity and mortality." Dkt. No. 14-1. Moreover, he has now gone a month and a half without any meaningful treatment for his serious knee pain caused by a blocked artery, for which he had previously been receiving medication at Folkston. *See* Dkt. No. 1-9; 14-1. As of last week, Petitioner has reached the point where he can no longer walk without significant effort or assistance. Medical officials at Adelanto continue to ignore his requests for medication and accommodations.

Petitioner is a 54-year-old man who has been languishing in civil immigration detention for more than two years, now 2500 miles away from his family, despite the fact that he already won final protection from removal to his country of origin and Respondents “have [not] identified a country to which Petitioner is expected to be removed.” Dkt. No. 22. Respondents apparently will not release Petitioner unless this Court orders it. Petitioner therefore urges this Court to order his release on reasonable conditions, such as an Order of Supervision that ICE routinely issues to non-citizens in Petitioner’s situation. *See* Dkt. No. 1-11.

DATED: July 22, 2025

Respectfully submitted,

/s/ Felix A. Montanez

/s/ Ian Austin Rose

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CERTIFICATE OF SERVICE

I hereby certify that on this date, I uploaded the foregoing Response to Status Update, which will send a Notice of Electronic Filing to all counsel of record.

Dated: July 22, 2025

Respectfully submitted,

/s/ Felix Montanez